

JUN 20 1973

# PROCLAMATION

## Governor of the State of Texas

ALL TO WHOM THESE PRESENTS SHALL COME:

June 16, 1973

As provided under the provisions of Section 14, Article IV of the Constitution of the State of Texas, I disapprove of H. B. 111 and am filing same with the Secretary of State setting forth the following objections:

Since Texas became a state in 1845 the police powers have been inherent in the state and its various political subdivisions. This Texas tradition has never been broken and while I recognize the importance of private industry in the security business, I cannot accept any delegation of police powers to private control.

I recognize the problem that the private sector of the security industry has in trying to simplify the rules and regulations that they must operate under when they are confronted with the many and varied city ordinances that control their industry. I am also aware of the private security industry's desire to regulate themselves and require more and better training for its members. There are many features of H. B. 111 that should probably be incorporated in the provisions of the Private Investigators and Private Security Agencies Act (Article 4413 (29bb) V.A.C.S.), but I am concerned about the provisions in this bill as they relate to the carrying of firearms.

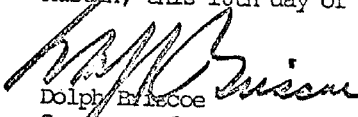
A section of this bill provides that the Board of Private Investigators and Private Security Agencies issue a "special police commission" to a person employed as a uniformed special officer, uniformed special street patrol officer, or uniformed burglar alarm runner. Article 484 of the Penal Code is amended by excepting persons holding a valid special police commission from the provisions of Article 483 which makes it a violation of the law for a person to carry a pistol. In other words, if one holds a special police commission, he will be permitted to carry a pistol.

This is a major change in state law which will allow private security agencies and their employees to carry a gun regardless of whether they are on private property or a place of business or while traveling. All other

exclusions from the prohibition of carrying firearms are reserved to militia and peace officers in the actual discharge of their duty and/or other officers or agents of state agencies or political subdivisions thereof. It is my feeling that this bill if enacted into law will establish a precedent that will allow a private security officer to operate throughout the state and will result in the loss of control over those carrying firearms within the jurisdictional limits of certain political subdivisions.

H. B. 111 was received in the Governor's Office less than ten (10) days prior to the adjournment of the regular session of the Sixty-third Legislature, and in accordance with the Constitution of the State of Texas, this bill, together with this Proclamation, is filed with the Secretary of State:

IN TESTIMONY WHEREOF, I  
have hereunto signed my name  
officially and caused the seal of  
the State to be affixed hereto at  
Austin, this 16th day of June, 1973.

  
Dolph Briscoe  
Governor of Texas

Secretary of State